

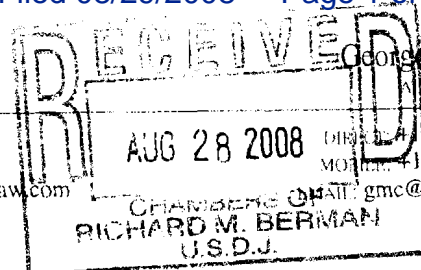


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August 28, 2008

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Honorable Richard M. Berman
United States District Court
500 Pearl Street
New York, NY 10007-1312

MEMO ENDORSED

p. 2

Re: Akademikis Vavilovs, et al. v. Grandwest LLC, Grandwest Corp., Sea Brothers Shipping Ltd., and Sea Brothershood Shipping Ltd.
08 cv 6349 (RMB)

Dear Judge Berman:

We have been engaged to represent the Defendants, Grandwest LLC, Grandwest Corp., Sea Brothers Shipping Ltd., and Sea Brothershood Shipping Ltd., in the above-captioned matter, and shortly will be submitting a Notice of Restricted Appearance. As Your Honor will recall, on August 18, 2008, we agreed to take the laboring oar and wrote to the Court on behalf of all parties to request that the preliminary conference previously scheduled to proceed on August 20, 2008 be adjourned. *See* Docket Entry # 4. At that time, the parties jointly proposed a briefing schedule for Defendants to move to vacate the attachment and to dismiss the action. We have since conferred with Your Honor's Chambers and now submit this letter to comply with Your Honor's individual rules and practices and to request a pre-motion conference.

As the Court will recall, this is an admiralty action brought pursuant to Supplemental Admiralty Rule B of the Federal Rules of Civil Procedure ("Rule B"). On or about July 15, 2007, Plaintiffs filed a Petition seeking to attach funds up to the amount of USD167,000.00 belonging to the Defendants to secure and satisfy a foreign arbitration award previously obtained by Plaintiffs.

On or about August 7, 2008, counsel for Plaintiffs advised the undersigned of the attachment and that funds in the amount of USD 167,000.00 had been restrained. Specifically, counsel advised that USD 153,800.00 belonging to defendant Grandwest Corp. had been restrained at JPMorgan and an additional USD13,200.00 belonging to Grandwest LLC had been restrained at HSBC. No further information as to whether defendants were the intended beneficiaries or originator of the transfer was provided. Additionally, no funds belonging to Sea Brothers Shipping Ltd. or Sea Brothershood Shipping Ltd. have been restrained and none of the Defendants are otherwise subject to personal jurisdiction in New York.



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Defendants now seek leave to file a motion to vacate the maritime attachment pursuant to Supplemental Rule E (4)(f) and to dismiss Plaintiffs' Petition pursuant to 12(b)(6); and/or in the alternative, Defendants will move for summary judgment concerning same. Additionally, Defendants will move in the alternative for an Order directing Plaintiffs to post counter security pursuant to Rule E(2) and E(7).

If acceptable to the Court, Defendants are willing to waive a formal appearance before the Court and will confer with Plaintiffs' counsel with a view toward reverting jointly with a supplemental proposed briefing schedule for Your Honor's review and endorsement.

In advance, we thank the Court for it's consideration of this request and stand ready to respond to any questions or comments Your Honor may have.

Respectfully yours

CHALOS & Co. P.C.


George M. Chalos

GMC:jd

cc: Mahoney & Keane, LLP

Attn: Garth S. Wolfson, Esq.

Jorge Rodriguez, Esq.

(via e-mail)

Plaintiffs to respond by 9/4/08 (noon)
with 2-3 page letter.

SO ORDERED:

Date: 8/29/08


Richard M. Berman, U.S.D.J.

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